



EXHIBIT A

Court of Common Pleas of Philadelphia County
Trial Division
Civil Cover Sheet

For Prothonotary Use Only (Docket Number)

APRIL 2022**002312**

PLAINTIFF'S NAME PAUL GIRARD and KAREN GIRARD, h/w		DEFENDANT'S NAME BJ'S WHOLESALE CLUB	
PLAINTIFF'S ADDRESS 535 Gorgas Lane, Phila, Pa. 19128		DEFENDANT'S ADDRESS 2300 Oregon Avenue, Phila., PA. 19145	
PLAINTIFF'S NAME		DEFENDANT'S NAME BJ'S WHOLESALE CLUB, INC.	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS CT Corporation System 600 North 2nd Street, Harrisburg, PA. 17101	
PLAINTIFF'S NAME		DEFENDANT'S NAME	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS	
TOTAL NUMBER OF PLAINTIFFS 2	TOTAL NO. OF DEFENDANTS 2	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other:		
CASE TYPE AND CODE (SEE INSTRUCTIONS) 2S Premises Liability			
STATUTORY BASIS FOR CAUSE OF ACTION (SEE INSTRUCTIONS)			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		CMPLC-Girard Etal Vs Bj'S Wholesale Club Etal  22040231200006	
		IS CASE SUBJECT TO COORDINATION ORDER? Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: Papers may be served at the address set forth below.			
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY Gary R. Brod		ADDRESS (SEE INSTRUCTIONS) 7600 Stenton Avenue, 1-L Phila., Pa. 19118	
PHONE NUMBER 215-247-0257	FAX NUMBER 215-247-7758		
SUPREME COURT IDENTIFICATION NO. 36127		E-MAIL ADDRESS brodlaw@comcast.net	
SIGNATURE 		DATE 4-27-2022	

LAW OFFICES GARY R. BROD

BY: GARY R. BROD, ESQUIRE
Attorney I.D.#: 36127
7600 Stenton Avenue, 1-L
Philadelphia, Pennsylvania 19118
(215) 247-0255

THIS IS A MAJOR JURY CASE

Attorney For Plaintiffs

PAUL GIRARD and KAREN GIRARD, h/w:
535 Gorgas Lane, :COURT OF COMMON PLEAS
Philadelpha, Pennsylvania 19128 :PHILADELPHIA COUNTY
v. :
BJ'S WHOLESALE CLUB : CIVIL TRIAL DIVISION
2300 W. Oregon Avenue, :
Philadelphia, Pennsylvania 19145 : **APRIL 2022**
and :APRIL, TERM, 2022
BJ'S WHOLESALE CLUB, INC. :
CT Corporation System, : No.: **002312**
600 North 2nd Street, :
Harrisburg, Pennsylvania 17101 :

CIVIL ACTION
PREMISES LIABILITY-2S

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PHILADELPHIA BAR ASSOCIATION
LAWYER REFERRAL AND INFORMATION SERVICE
One Reading Center
Philadelphia, Pennsylvania 19107
Telephone: 215-238-1701

AVISO

Le han demandado a usted en la courte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la notificacion. Hace falta asentar una compareseencia escrita o en persona o con un abogado y entregar a la cort en forma escrita sus defenses o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede Perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO, O SI NO TIENE EL DINERO SIFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

ASOCIACION DE LICENCIADOS DE FILADELPHIA
SERVICIO DE REFERENCIA E INFORMACION LEGAL
One Reading Center
Filadelfia, Pennsylvania 19107
Telefono: 215-238-1701

CIVIL ACTION

1. Plaintiff, PAUL GIRARD is an individual residing at 535 Gorgas Lane, Philadelphia, Pennsylvania 19128.
2. Plaintiff, KAREN GIRARD is an individual residing at 535 Gorgas Lane, Philadelphia, Pennsylvania 19128.
3. Defendant, BJ'S WHOLESALE CLUB is a corporation, limited liability company, partnership, fictitious name of an individual or individuals, franchise or proprietorship with a place of business located at 2300 W. Oregon Avenue Philadelphia, conducting business there at all time material thereto.
4. Defendant, BJ'S WHOLESALE CLUB, Inc. is a corporation, limited liability company, partnership, fictitious name of an individual or individuals, franchise or proprietorship with a place of business located at 2300 W. Oregon Avenue, Philadelphia Pennsylvania, with a registered office for the acceptance of service at CT CORPORATION SYSTEM located at 600 North 2nd Street, Harrisburg, PA. 17101
5. At all times material hereto the aforesaid defendants owned and/or operated a supermarket from the location of 2132 E. Lehigh Avenue, Philadelphia, Pennsylvania.
6. At all times relevant hereto, all of the acts, and omissions of the defendants were committed through their agents, servants, workmen and/or employees and by others with whom the defendants had control or authority

and were acting within the course and scope of said employment and/or agency.

7. At all times relevant hereto defendants, leased, managed, operated, controlled and/or had dominion over the store located at 2300 W. Oregon Avenue, Philadelphia, Pennsylvania.

8. At all times material hereto, Plaintiff was a business invitee on the subject premises.

9. On or about May 1, 2020 plaintiff, Paul Girard was a lawful business invitee proceeding on foot in the aforesaid premises when he was caused to slip and fall on an accumulation of slippery gel-like liquid substance which existed on the floor for a substantial period of time prior thereto.

10. As a direct and proximate result of this slip and fall incident, Plaintiff sustained the severe injuries hereinafter more fully described.

11. The aforesaid incident resulted solely from the negligence, carelessness and recklessness of the defendants herein, jointly and severally, and in no manner whatsoever to any act or failure to act on the part of the plaintiff.

12. Plaintiff avers that the aforesaid area constituted a dangerous and perilous condition, a public nuisance and a menace to all persons traversing hereon for a long time prior thereto.

13. Defendants, at all times knew or should have known of the dangerous and defective condition of its premises and failed to

correct said condition and/or otherwise protect the plaintiff and the public similarly situated.

14. The aforesaid incident was proximately caused by the negligence of the defendants, both jointly and severally and consisted of the following:

(a) failing to properly maintain said floor in a safe condition;

(b) allowing the defective condition to exist which the defendants knew or should have known created a dangerous hazard to persons, business invitees, guests and/or pedestrians walking on said area;

(c) permitting said area to remain in a condition so as to constitute a menace, danger, nuisance, snare, trap to persons, business invitees, guests and or pedestrians walking on the said area;

(d) failing to properly inspect and remedy the unsafe condition of the floor area after notice, actual or constructive of its dangerous condition;

(e) failing to discover a hazard;

(f) failing to give proper and adequate notice of the defective and dangerous condition of said floor area;

(g) failing to erect and maintain appropriate barriers or safeguards around the defective and dangerous portion of the floor area;

(h) disregarding the rights and safety of those persons lawfully using the premises;

(i) failing to provide persons lawfully using the premises with a safe area to traverse said premises;

(j) failing to remove or remediate the water or other foregoing substance upon the floors of the store;

(k) failing to properly supervise its agents, servants, workmen, employees or personnel;

(l) failing to properly train its agents, servants, workmen, employees or personnel;

(m) failing to institute rules, regulations and/or procedures for its employees, agents, servants, workmen and/or personnel to follow so that persons could perform their duties of inspection, remediation and maintenance of the floors and walkways of the premises in a timely, prudent and workmanlike manner, all to the detriment of the plaintiff;

(n) negligence at law and

(o) such other acts and omissions constituting negligence as shall be revealed from discovery through trial.

15. Solely as a result of the negligence and recklessness of the defendants, jointly and severally, plaintiff, Paul Girard suffered multiple, severe, disfiguring and permanent injuries in and about his body and extremities, discs connected thereto and/or may have aggravated a previously existing condition. In

particular, he sustained multiple bruises, abrasions, contusions and blunt trauma injuries including sprain of medial collateral ligaments of right knee, complex, extensive tearing of the medial meniscus with extrusion, oblique undersurface tear of the lateral meniscus, joint effusion with reactive synovitis moderate medial and lateral compartment chondrosis, irreparably damaged knee structure necessitating right total knee arthroplasty (knee replacement) and surgical installation of artificial knee joint under general anesthesia, involuntary immobilization and confinement of entire body and limb, total disability, ripping, tearing, stretching and hemorrhaging of the muscles, tendons, ligaments and blood vessels attached thereto together with severe shock to all the nerves and nervous system by reason of which he was rendered sick, sore, lame and prostrate and disordered and was made to undergo great physical pain and anguish as a result of which he has suffered, yet suffers and will continue to suffer for an indefinite period of time into the future.

16. Some or all of the aforesaid injuries will be permanent.

17. Some or all of the aforesaid injuries have and will continue to result in the loss of use of bodily functions or movement.

18. As a further result of this incident, plaintiff was required to expend large sums of money for medicine, medical care and treatment in and about an effort to cure himself of his injuries

and he may be obliged to continue to expend such sums or incur such expenditures for an indefinite period of time in the in the future.

19. As a further result of the negligence as aforesaid he has been caused to be unable to engage in gainful employment in his area of expertise, sustained a substantial loss of earnings and may in the future be caused to be unable to earn a living and thus have a reduction in earning power, all to his great financial damage and loss.

20. As a further result of this incident, plaintiff was also prevented from attending to his usual duties and occupations to his great financial loss.

WHEREFORE, the plaintiff, Paul Girard respectfully prays this Honorable Court to enter a judgment in his favor and jointly and severally against defendants in an amount in excess of Fifty Thousand (\$50,000.00) Dollars plus interest, costs and attorney's fees.

BY: 

GARY R. BROD, ESQUIRE
Attorney For Plaintiff


COUNT II-(Spousal Consortium) HUSBAND PLAINTIFF v. DEFENDANTS

21. Plaintiff, Karen Girard, incorporates the allegations of fact contained in paragraphs one through twenty, inclusive as fully as though the same were here set forth at length.

19. By reason of the aforesaid occurrence, plaintiff Karen Girard, has been and may and probably will in the future be deprived of the assistance and society of her husband all of which has been and probably will in the future, be to her great financial damage and loss.

WHEREFORE, plaintiff, Karen Girard demands judgment against defendants, jointly and severally for a sum in excess of Fifty Thousand (\$50,000.00) Dollars.

BY: _____


GARY R. BROD, ESQUIRE
Attorney For Plaintiffs

VERIFICATION

GARY R. BROD hereby states that he is the attorney in this Action and verifies that the statements made in the foregoing Civil Action are true and correct to the best of his knowledge, information and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 PA. C.S. section 4904 relating to unsworn falsification to authorities.

BY: 
GARY R. BROD, ESQUIRE
Attorney For Plaintiffs

Dated: April 27, 2022

VERIFICATION

Paul Girard, subject to the penalties of 18 Pa. C.S. #4904 relating to unsworn falsification to authorities, deposes and says that he is the plaintiff herein and that the facts set forth in the foregoing are true and correct to the best of his knowledge, information and belief.

X 